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11 Attorneys for Defendants  
12 The Pep Boys Manny Moe & Jack of California; and The  
Pep Boys – Manny, Moe & Jack

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

16 Art Navarro, individually, and on behalf of all  
17 others similarly situated, and as an aggrieved  
18 employee pursuant to the Private Attorneys  
General Act of 2004,

Case No. C 07-2633 SI

**[PROPOSED] ORDER GRANTING  
DEFENDANTS' MOTION TO DISMISS  
PURSUANT TO F.R.C.P. 12(B)(6)**

Plaintiff.

vs.

21 The Pep Boys Manny Moe & Jack of  
22 California, a California Corporation, The Pep  
Boys - Manny, Moe & Jack, a Pennsylvania  
Corporation, and DOES 1-25 inclusive..

### Defendants.

26 WHEREFORE, on September 21, 2007, the Motion to Dismiss pursuant to Federal Rule  
27 of Civil Procedure 12(b)(6) filed by Defendants The Pep Boys Manny Moe & Jack of California  
28 and The Pep Boys – Manny, Moe & Jack (“Defendants”) which sought to dismiss the Twelfth

1 Claim for Relief (Conversion) in Plaintiff's First Amended Complaint ("Complaint") came on for  
2 regularly scheduled hearing in Courtroom 10, the Honorable Susan Illston presiding.

3 \_\_\_\_\_ appeared for Defendants and \_\_\_\_\_ appeared for Plaintiff.

4 Upon consideration of the pleadings, papers, and arguments of counsel, and with good cause  
5 shown, it is hereby **ORDERED AND ADJUDGED THAT:**

6 Defendants' Motion is **GRANTED**, and Plaintiff's Twelfth Claim for Relief for  
7 conversion is dismissed, with prejudice, and without leave to amend.

8 **IT IS SO ORDERED.**

9  
10 Dated:

11 By: \_\_\_\_\_  
12 United States District Court Judge